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Paper No. 40

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MAR 10 2003

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| In re Application of |) | |
| KAMAKURA, TAKANOBU |) | DECISION ON PETITION |
| Application No. 08/578,980 |) | TO WITHDRAW HOLDING |
| Filed: December 27, 1995 |) | OF ABANDONMENT |
| Docket No.: 39-5461-0 |) | |

This is a decision on the petition filed July 17, 2002, to withdraw the holding of abandonment of the above-identified application. A petition fee is not required.

The petition is **granted**.

A decision affirming the examiner's rejection was rendered by the Board of Patent Appeals and Interferences (BPAI) and mailed on February 19, 2002. In the apparent absence of a response to the Decision, the application was held abandoned and a Notice of Abandonment was mailed on May 20, 2002.

Petitioner asserts that a Request for Reconsideration under 37 C.F.R.1.197(b) (Request) was filed in the above-identified application on April 19, 2002. To support this assertion, petitioner has provided a copy of the Request and a copy of a return postcard that properly identifies and acknowledges receipt of the Request by the United States Patent and Trademark Office (PTO) on April 19, 2002.

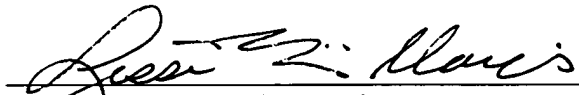
A review of the application file record reveals that the above-identified response was not associated with the application file at the time the Notice of Abandonment was mailed but has since been matched therewith. The response of record was received on April 19, 2002.

For the above-stated reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

Decision on Petition to Withdraw Holding of Abandonment

The application file is being forwarded to the Technology Center 2800 support staff for entry of the Request received on April 19, 2002. From there, the application will be forwarded to the BPAI for appropriate action.

Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (703) 308-2260.



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